

ORDINANCE NO. 1054

BILL NO. 529

Instrument # 2086301

JEROME COUNTY, JEROME, IDAHO

11-21-2008 01:25:02 No. of Pages: 5

Recorded for : CITY OF JEROME

MICHELLE EMERSON Fee: 0.00

Ex-Officio Recorder Deputy

Sponsored by

C. Bench

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF JEROME, IDAHO, ANNEXING THREE (3) PARCELS OF REAL PROPERTY TO THE CITY OF JEROME; PROVIDING ZONING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has entered into an agreement with Davisco International, Inc., dba Jerome Cheese Company, regarding the annexation of real property owned by that Company, which is presently contiguous to the Jerome City limits; and,

WHEREAS, the parcel owned by Davisco International, Inc., is now being served by the wastewater treatment system of the City; and,

WHEREAS, the parcel of real property owned by Davisco International, Inc., is annexable pursuant to Idaho Code § 50-222(4); and,

WHEREAS, metes and bounds descriptions describing the real property to be annexed will be set forth in the body of the Ordinance; and,

WHEREAS, the Jerome City Planning and Zoning Commission held a public hearing on August 26, 2008, and determined the Light Manufacturing (M-1) zoning request by Davisco International, Inc., for its real property to be annexed is in compliance with the City of Jerome's Comprehensive Plan; and that the two (2) other parcels below referenced did not require zoning because they are rights of way; and,

WHEREAS, an additional parcel of real property contiguous to the previously described parcel of real property consisting of a railroad right of way is owned by Eastern Idaho Railroad, Inc., and is annexable pursuant to Idaho Code § 50-222(3)(a)(ii) because it is surrounded by existing Jerome city limits and impact area; and,

WHEREAS, the parcel of real property owned by Eastern Idaho Railroad, Inc. is also legally described below; and,

WHEREAS, a third parcel of real property contiguous to the parcel owned by Davisco International, dba Jerome Cheese Company, is owned by the City of Jerome and the Jerome Highway District, consisting of a road right of way for Nez Perce Road, and is annexable pursuant to Idaho Code § 50-222(3) because it is surrounded by the Jerome City limits and impact area; and,

WHEREAS, following the August 26, 2008 public hearing, the Jerome City Planning and

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Zoning Commission forwarded its recommendations for zoning concerning the parcels described above to the Jerome City Council; and

WHEREAS, a public hearing concerning the recommended zoning designations for the real property proposed to be annexed was held before the Jerome City Council on October 7, 2008,

BE IT THEREFORE ORDAINED BY THE MAYOR AND COUNCIL of the City of Jerome, Idaho, as follows:

Section 1: The following tract of real property owned by Davisco International, Inc., dba Jerome Cheese Co., is hereby annexed to the City of Jerome, Idaho, an Idaho municipal corporation.

Tract 1: Lot 1 Block 2 of the Jerome South Industrial Park Phase 2 as shown on the plat thereof recorded as instrument number 930831 in the records of Jerome County, Idaho, located in the North half of the N½NE¼ of Section 25, Township 8 South, Range 17 East of the Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said NE ¼ which bears North 89°16'00" West a distance of 2640.06 feet from the northeast corner of said Section 25;

Thence south 89°16'00" East a distance of 26.98 feet along the northerly boundary of said NE ¼ to the easterly boundary of the Eastern Idaho Railroad Right of way;

Thence southerly along the easterly boundary of said Railroad Right of Way South 33°42'43" East a distance of 48.50 feet to a point 40.00 southerly at right angles from the northerly boundary of said Section 25 on the southerly boundary of the 100 South Road and being the northwest corner of said Lot 1 and also the True Point of Beginning;

Thence south 89°16'00" East a distance of 10.45.64 feet along the southerly boundary of said 100 South Road to a point of curvature;

Thence southeasterly 46.89 feet on the arc of a curve with a radius of 30.00 feet a central angle of 89°32'56" and a chord which bears South 44°29'32" East a distance of 42.26 feet to a point of tangency on the westerly boundary of Bridon Way;

Thence south 0°16'56" West a distance of 525.57 feet along the Westerly boundary of said Bridon Way point of curvature;

Thence southeasterly 195.88 feet on the arc of curve to the left with a radius of 330.00 feet a central angle of 34°00'31" and a chord which bears South 16°43'20" East a distance of 193.01 feet to a point of tangency;

Thence South 33°43'35" East a distance of 142.07 feet along the westerly boundary of said Bridon Way;

Thence South 56°16'25" West a distance of 520.00 feet to the Easterly boundary of said Eastern Idaho Railroad Right of Way;

Thence North 33°42'43" a distance of 1395.48 feet along the said railroad Right of Way to the True Point of Beginning.

The above described tract contains 17.90 acres, more or less.

The above description describes in metes and bounds the real property owned by Davisco International, Inc., doing business as the Jerome Cheese Company included within Lot 1 of

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Block 2 of the Jerome South Industrial Park, Phase 2 Subdivision, recorded as Instrument Number 930831 in the records of Jerome County, Idaho.

Section 2: The following tract of real property owned by Eastern Idaho Railroad, Inc. is hereby annexed to the City of Jerome, Idaho:

Tract 2: A tract of land beginning at the Eastern Idaho Railroad Right of Way adjacent to and adjoining the westerly boundary of Lot 1 Block 2 of the Jerome South Industrial Park, said Right of Way located in the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 25, Township 8 South, Range 17 East of the Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Beginning at the North Quarter Corner of said Section 25 which point bears North 89°16'00" West a distance of 2640.06 feet from the northeast corner of said Section 25;

Thence South 89°16'00" East a distance of 26.98 feet along the northerly boundary of said Section 25 to the Easterly boundary of said Eastern Idaho Railroad Right of Way;

Thence South 33°42'43" East a distance of 48.50 feet along said Railroad Right of Way to the northwest corner of said Lot 1 Block 2 of Jerome South Industrial Park and the True point of Beginning;

Thence South 33°42'43" a distance of 1,395.48 feet along the westerly boundary of said Lot 1;

Thence South 56°17'17" West a distance of 100.00 feet to the westerly boundary of said Railroad Right of Way;

Thence north 33°42'43" West a distance of 1,464.08 feet along the westerly boundary of said Railroad Right of Way to the northerly boundary of said NE4 NW4;

Thence south 89°16'00" East a distance of 121.28 feet along the northerly boundary of said NE4 NW4 to the True Point of Beginning.

The above described tract contains 3.28 acres, more or less.

The above description describes in metes and bounds the Eastern Idaho Railroad, Inc. Right of Way to be annexed.

Section 3: The following tract of real property consisting of a road right of way owned by the City of Jerome and the Jerome Highway District is hereby annexed to the City of Jerome, Idaho:

Tract 3: A tract of land being part of the north 40.00 feet of the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 25 and part of the south 25.00 feet of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter of Section 24, Township 8 South, Range 17 East of the Boise Meridian, Jerome County, Idaho, more particularly described as follows:

Commencing at the Quarter Section Corner common to said Sections 25 and 24 which point bears North 89°16'00" East a distance of 2640.06 feet from the Northeast

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corner of said Section 25 and the Southeast corner of said Section 24;

Thence South 89°16'00" East a distance of 26.98 feet along the northerly boundary of said NW4 NE4 of said Section 25 to the easterly boundary of the Eastern Idaho Railroad Right of Way;

Thence South 33°42'43" East a distance of 48.50 feet along said Right of Way to the southerly boundary of Nez Perce Street (100 South) and the True Point of Beginning;

Thence North 89°16'00" West a distance of 121.28 feet along the southerly boundary of Nez Perce Street (100 South) to the westerly boundary of said railroad Right of Way;

Thence North 33°42'43" West a distance of 78.33 feet along the westerly boundary of said Right of Way to the northerly boundary to the easterly boundary of said Eastern Idaho Railroad Right of Way;

Thence South 89°16'00" East a distance of 121.28 feet along said northerly boundary to the easterly boundary of said Eastern Idaho Railroad Right of way;

Thence South 89°16'00" East a distance of 1119.49 feet along the northerly boundary of said Nez Perce Street (100 South);

Thence South 00°16'56" West a distance of 94.77 feet to the point of curve of a non tangent curve to the left, of which the radius point lies North 89°43'04" West, a radial distance of 30.00 feet;

Thence northwesterly along the arc of said curve, through a central angle of 89°32'56", a distance of 46.89 to the Point of Tangency of said curve on the southerly boundary of Nez Perce Street (100 South);

Thence North 89°16'00" West a distance of 1,045.64 feet along the southerly boundary of said Nez Perce Street to the easterly boundary of said Eastern Idaho Railroad Right of Way and The true Point of Beginning.

The above described tract contains 1.82 acres, more or less.

The above description describes in metes and bounds the Nez Perce (100 South) Road right of way to be annexed.

Section 4: **Amendment to City Maps and Comprehensive Plan.** All applicable sections of the Jerome Municipal Code and the City of Jerome's Comprehensive Land Use Plan shall be amended to include the portions of real property as described in Sections 1, 2, and 3 of this Ordinance.

Section 5: **Zoning.** The tract of real property described in Section 1 of this ordinance is zoned Light Industrial (M-1). No zoning designations are given to the tracts described in Sections 2 and 3 of this ordinance.

Section 6: **Severability.** If a part of this ordinance is ruled invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this ordinance is ruled invalid in one or more of its applications, the part remains in effecting all valid applications that are severable from the invalid applications.

Section 7: **Effective Date.** This ordinance shall be effective upon its passage and publication and notice as required by law, and approval of the Idaho State Tax Commission.

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PASSED BY THE COUNCIL this 18th day of November, 2008.

SIGNED BY THE MAYOR this 21st day of November, 2008.



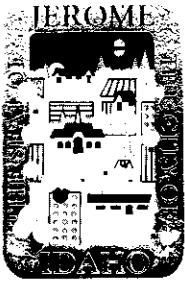
BY: *Charles H. Correll*
CHARLES H. CORRELL, MAYOR

Kathy Cone
KATHY CONE, CITY CLERK

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THE CITY OF JEROME

City Hall
152 East Avenue A
Jerome, Idaho 83338
(208) 324-8189

November 10, 2008

Jason Talbot
Idaho State Tax Commission
Statehouse Mail, 700 West State Street
Boise, ID 83722

Pursuant to I.C. 63-2215, enclosed please find a certified copy of Ordinance No. 1054 annexing three parcels of approximately 17.90 acres to the City of Jerome. Please note that this Ordinance replaces Ordinance No. 1047, which was repealed.

A map was recently sent to you with Ordinance No. 1047. The map is valid.

Sincerely,

Kathy Cone, CMC
City Clerk

Enclosures: 1

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